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Confidence-building measures in the regional and subregional context

Report of the Secretary-General

Contents

		Page
I.	Introduction	2
II.	Replies received from Member States	2
	Burkina Faso	2
	Lebanon	3
	Mexico	4
	Spain	6
	Ukraine	8

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I. Introduction

1. In its resolution 64/43, the General Assembly reaffirmed the ways and means regarding confidence- and security-building measures set out in the report of the Disarmament Commission on its 1993 session, and it called upon Member States to pursue those ways and means through sustained consultations and dialogue, while at the same time avoiding actions that may hinder or impair such a dialogue. Furthermore, the General Assembly urged States to comply strictly with all bilateral, regional and international agreements, including arms control and disarmament agreements to which they are a party. The Assembly also emphasized that the objective of confidence-building measures should be to help strengthen international peace and security and to be consistent with the principle of undiminished security at the lowest level of armaments, and encouraged the promotion of bilateral and regional confidence-building measures, with the consent and participation of the parties concerned, to avoid conflict and prevent the unintended and accidental outbreak of hostilities. It requested the Secretary-General to submit a report to the General Assembly at its sixty-fifth session containing the views of Member States on confidence-building measures in the regional and subregional context. The present report is submitted pursuant to that request.

2. A note verbale was sent on 17 March 2010 to all Member States requesting their views. To date, replies from the Governments of Burkina Faso, Lebanon, Mexico, Spain and Ukraine have been received and are reproduced in section II below. Additional replies will be issued as addenda to the present report.

II. Replies received from Member States

Burkina Faso

[Original: French]
[6 May 2010]

1. In keeping with the purposes and principles of the Charter of the United Nations, the Government of Burkina Faso is endeavouring to establish a climate of confidence, solidarity and peaceful coexistence with both the countries of the West African subregion and all the African States which are members of the African Union.

2. Accordingly, our country regularly takes part in the African Union summits, where it shares ideals of peace and unity and works towards the full integration of the continent.

3. At the subregional level, Burkina Faso is resolutely engaged in seeking peace and security.

4. Its President, Blaise Campaore, is regularly called upon to settle disputes through mediation and conciliation.

5. He has, for instance, been designated by the States of the subregion to be the mediator in the political crisis that has been dividing Côte d'Ivoire since September 2002. Under his guidance, those involved in the crisis signed a comprehensive political agreement on 4 March 2007, which has set a path for emerging from the crisis in Côte d'Ivoire.

6. In neighbouring Togo, Burkina Faso helped to bring the various political figures together when issues of succession arose after the death of President Eyadema in 2005. Togo has just held presidential elections on 4 March 2010, and they were conducted peacefully.

7. Still more recently, President Campaore was appointed by the Economic Community of West African States (ECOWAS) to lead the peace process in Guinea. On 15 January 2010, a joint declaration was signed in Ouagadougou to pave the way for dialogue and make preparations for the presidential elections scheduled to be held on 27 June.

8. Burkina Faso's involvement in all these conflict situations shows that it is determined and committed to participate in the establishment of a climate of confidence in the subregion.

9. In addition to resolving crises, Burkina Faso has undertaken to reinforce a climate of peace and solidarity with neighbouring countries by engaging in the peaceful settlement of border disputes, using international dispute-settlement mechanisms.

10. Thus, in order to resolve border disputes with the Niger and Benin, Burkina Faso made a signed commitment that it will apply the rules and principles of international law, especially the principle of the intangibility of the borders inherited from colonization, and accept the ruling of the International Court of Justice as final and binding.

11. Furthermore, our country is relying on technical and political consultative machinery to engage in a sustained political dialogue with several countries of the subregion. With this in mind, Burkina Faso and Côte d'Ivoire signed a treaty of friendship and cooperation on 29 July 2008 in Ouagadougou and held a joint Council of Ministers on 15 September 2009 in Yamoussokro.

12. Militarily, the army of Burkina Faso maintains good relations with fellow armies in the subregion and on the African continent. It takes part in joint manoeuvres conducted by ECOWAS in preparation for the establishment of its standing force.

13. Burkina Faso has been taking part increasingly in peacekeeping operations, all of which demonstrates its determination to work to establish peace and security in conjunction with the other members of the community of nations. The presence now in Darfur of the military contingent "LAAFI" testifies to this.

Lebanon

[Original: Arabic]
[6 July 2010]

Confidence-building measures at the regional and subregional levels

The Ministry of National Defence affirms that Lebanon supports all international initiatives and agreements designed to build confidence, maintain military balance, and suppress uncontrolled proliferation of various types of weapon in the region and the world, which poses a serious threat at the regional, subregional and international levels. The Ministry also affirms the country's commitment to international law, regional peace and the principles set forth in the Charter of the

United Nations and, in particular, the principle of sovereign equality. The main obstacle Lebanon faces in building confidence at the regional and subregional levels is Israel, which continues to violate international law and norms and possesses weapons of mass destruction which constitute a permanent threat at the local and regional levels.

Mexico

[Original: Spanish]
[21 May 2010]

1. At the multilateral level, Mexico has supported and will continue to promote confidence-building measures in the regional and subregional context through the United Nations Disarmament Commission, the Conference on Disarmament, the First Committee of the General Assembly and other major disarmament forums.

National actions

2. Since the illegal flow of weapons encourages criminal groups, Mexico has strengthened its inter-agency coordination arrangements for dealing with illicit arms trafficking, with a view to combining the efforts of the different federal units responsible for this issue, and this has resulted in the implementation of various programmes designed to prevent the proliferation of criminal activities.

3. In this connection, mention should be made of the workshop on the international juridical framework to combat illicit arms trafficking, attended by representatives of various national units, which was held on 18 February 2010 at the Ministry of Foreign Affairs.

4. In compliance with the resolutions adopted by the United Nations General Assembly, Mexico has submitted reports on measures adopted at the national level on various items, including: (a) Objective information on military matters, including transparency in military expenditure; (b) Confidence-building measures in the context of conventional weapons; (c) Control of conventional weapons at the regional and subregional levels; (d) Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction; and (e) the United Nations Register of Conventional Arms.

5. In addition, Mexico wishes to appeal to Member States to strengthen their diplomatic channels and increase information exchange, confidence, transparency, stability and understanding in respect of conventional weapons.

Bilateral actions

6. Within the framework of the Mérida Initiative, Mexico and the United States of America have strengthened information-sharing mechanisms for tracing firearms, ammunition, explosives and other related materials that may have been illicitly trafficked.

7. In coordination with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the Mexican authorities have been sharing information using the e-Trace electronic tracing system administered by ATF, under Project Gunrunner, to detect multiple purchasers of firearms in the United States and firearms illegally brought

into the national territory. As a result of this effort, 53,255 firearm traces were requested from e-Trace in 2009; from 1 January 2010 to 14 April 2010, 5,280 firearm traces were requested from the system. In Mexico, arms are traced by two methods:

(a) The Technical Secretariat of the Interagency Coordination Group for the Prevention and Control of Trafficking in Firearms, Ammunition and Explosives (GC-Armas) gives ATF representatives information on armaments seized in the national territory; and

(b) The National Centre for Planning, Analysis and Information to Combat Crime (CENAPI) of the Office of the Public Prosecutor has direct access to the e-Trace system to obtain data on the first purchaser of the seized firearm.

8. In addition, CENAPI has held consultations with Peruvian authorities by videoconference in order to share experience and study best practices for combating illicit firearms trafficking. In this connection, meetings were held in March and April 2010 of experts in the use of the Integrated Ballistics Identification System (IBIS). On this occasion, emphasis was placed on the need to reactivate mechanisms for information exchange between authorities of the two countries responsible for dealing with this issue.

9. Mexico also participated in an international seminar on good practices and lessons learned for transparency regarding arms and armed violence, held in Guatemala City from 17 to 19 March 2010.

10. On 8 December 2009, at a meeting between Felipe Calderón Hinojosa, the President of the United Mexican States, and Mr. Recep Tayyip Erdogan, the Prime Minister of the Republic of Turkey, the two Heads of State agreed to explore the possibility of establishing a working group to propose bilateral cooperation mechanisms to combat organized crime and terrorism.

Regional actions

11. An important feature of regional cooperation is the close relationship with the Central American Programme on Small Arms Control (CASAC), which recently invited GC-Armas to participate in an inter-agency training course on combating illicit firearms trafficking. Mexico also participated in the course on investigation, arms identification, customs and human security, held from 15 to 26 March 2010 in San José.

12. At the Fourth Dialogue between the Central American Integration System (SICA) and Mexico on Democratic Security, held on 8 and 9 March 2010 in San Salvador, decisions were taken on a series of actions by member States. Emphasis was placed on cooperation for the sharing of information on patterns of illicit drug and arms trafficking.

13. With a view to dealing with matters of security and mutual interest so as to promote unity, increase hemispheric security and strengthen international peace and security, as well as to achieve a close understanding among Member States for the joint study of problems of common interest in the American continent, the Ministry of National Defence participates in various military forums, such as the Conference of Ministers of Defense of the Americas and the Inter-American Defense Board, in

addition to participating in various conferences and seminars through military attachés assigned to the embassies of Mexico.

14. Moreover, from the outset of the negotiating process, Mexico was one of the main proponents of the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA). In connection with this agreement, Mexico has adopted a series of measures designed to deal with this issue, such as participation in the eleventh regular meeting held within the framework of CIFTA on 23 April 2010, at which it described its progress and achievements concerning control of illicit arms trafficking.

15. At that meeting, Mexico promoted the creation of a hemispheric register of ballistic fingerprints, for the purpose of tracing armaments from the time of their manufacture until they are seized.

16. Mexico supported the adoption of resolution AG/RES. 2447 (XXXIX-O/09) entitled "Confidence- and Security-Building in the Americas", adopted at the thirty-ninth regular session of the General Assembly of the Organization of American States, held in San Pedro Sula, Honduras, from 2 to 4 June 2009.

Spain

[Original: Spanish]
[4 May 2010]

1. The ultimate goal of an arms control or confidence- and security-building measure system should be to prevent conflicts by reducing the risk of erroneous perceptions and calculations vis-à-vis the military activities of others, establishing measures that inhibit the possibility of covert military preparations, and reducing the risk of surprise attacks and of inadvertently unleashing hostilities.

2. On the basis of that criterion, confidence- and security-building measures in the regional and subregional context are invaluable as preventive measures, being adapted to regional and subregional specificities, limited to a smaller number of parties, and more stringent and consequently more effective. All the foregoing increases the likelihood that the measures will be adopted and have force.

3. At the regional level, Spain has actively participated in all initiatives that have been undertaken in this regard: it is a signatory to the Treaty on Open Skies, which includes legally binding measures, and, as a participating State in the Organization for Security and Cooperation in Europe (OSCE), is politically bound by the measures contained in the Vienna Document 1999 on confidence- and security-building measures and other OSCE documents.[1] Moreover, Spain has contributed to the implementation of the Agreement on Regional Stabilization under annex 1-B of

[1] Such as the Code of Conduct on Politico-Military Aspects of Security, the Global Exchange of Military Information and the OSCE Document on Small Arms and Light Weapons.

the General Framework Agreement for Peace in Bosnia and Herzegovina (Dayton Peace Agreement).[2]

4. Among the body of principles which, in our view, should govern confidence- and security-building measures, as set forth in Spain's reply to the request for information pursuant to General Assembly resolution 64/42, the following are particularly notable in the regional and subregional levels:

- Specificity: Confidence- and security-building measures should be specifically negotiated for each case and each geographical area;
- Transparency: This should be based on the smooth flow of information exchanges and building of contacts, and responsive communications;
- Verifiability: The measures adopted should include a system for verifying their implementation. That is the only way to maintain confidence in cases of suspected non-compliance;
- Reciprocity: Each party's gains in terms of a higher level of confidence in the other parties should be matched by similar gains in the other parties' level of confidence; otherwise, measures of this type will be much harder to negotiate;
- Voluntary negotiations and mandatory compliance: Parties should feel comfortable with the measures agreed at each stage of the process. The political will required for the negotiation of measures of this type should be commensurate with the mandatory nature of compliance with these measures;[3]
- Progressivity: The measures should be seen as a process in which new and more effective measures are progressively developed as confidence between the parties improves;
- Complementarity: Care should be taken at all times to ensure complementarity between the measures adopted at the global (United Nations), regional, subregional and bilateral levels and to avoid the duplication of measures.

5. Furthermore, the effective implementation of confidence- and security-building measures calls for:

- A mechanism for consultations and for follow-up to the implementation of measures. It should facilitate complaints and the solution of problems that might arise in the practical implementation of measures, as well as negotiation of new measures or the modification of existing ones;
- An appropriate communications system, or, failing that, a network of contact points among the participants. At the executive level, there is a need to ensure

[2] Specifically, article II relates to Confidence- and Security-Building Measures in Bosnia and Herzegovina (similar to those in the Vienna Document) and article IV relates to Measures for Sub-Regional Arms Control in the Republic of Croatia, the Federal Republic of Yugoslavia and Bosnia and Herzegovina (more similar to the Treaty on Conventional Armed Forces in Europe treaty). Our country's verification unit provides assistance to and participates in the organization and implementation of the verification measures set out under such agreements. Spain is also party to article V on stabilization measures with a broader geographical scope and which entered into force on 1 January 2002.

[3] Nevertheless, an imposed CBM-CSBM system, as under article II of annex 1-B of the Dayton Peace Agreement, can be effective if accompanied by an adequate international arbitration system.

compliance with the time limits for response, inherent in the various measures, and at the directive level, to remain sufficiently flexible to channel the information flow and to take decisions enabling confidence to be restored in the face of possible alarms.

Ukraine

[Original: Russian]
[17 May 2010]

6. United Nations General Assembly resolution 64/43, entitled "Confidence-building measures in the regional and subregional context".

Throughout 2009, the activities of Ukraine's armed forces within the framework of the regional entities were aimed at ensuring security in the region, at building mutual confidence among participating States and broadening cooperation in the military sphere.

In accordance with chapter X of the Vienna Document 1999 of the Negotiations on Confidence- and Security-Building Measures, Ukraine complies with the bilateral agreements which it has concluded with neighbouring States on additional confidence- and security-building measures:

The agreement between the Cabinet of Ministers of Ukraine and the Government of the Republic of Hungary of 27 October 1998 on confidence- and security-building measures and the development of bilateral military contacts;

The agreement between the Cabinet of Ministers of Ukraine and the Government of the Slovak Republic of 30 August 2000 on additional confidence- and security-building measures;

The agreement between the Cabinet of Ministers of Ukraine and the Government of the Republic of Belarus of 16 October 2001 on additional confidence- and security-building measures;

The agreement between the Cabinet of Ministers of Ukraine and the Government of the Republic of Poland of 16 April 2004 on additional confidence- and security-building measures.

In all, from the signing of the above-mentioned documents until the present time, the following activities have been implemented throughout Ukraine:

162 in compliance with the Vienna Document 1999 of the Negotiations on Confidence- and Security-Building Measures, including 13 in 2009;

59 in accordance with bilateral agreements on additional confidence- and security-building measures, including 8 in 2009.

In turn, in the territories of other Member States, Ukraine has implemented the following activities:

218 in accordance with the Vienna Document 1999 of the Negotiations on Confidence- and Security-Building Measures, including 10 in 2009;

55 in accordance with bilateral agreements on additional confidence- and security-building measures, including 4 in 2009.

Being aware of the importance of and need for additional confidence- and security-building measures in the region, supplementing the above-mentioned documents, Ukraine is laying the groundwork for the signing of bilateral agreements with all neighbouring States.

In compliance with the provisions of the Vienna Document 1999 of the Negotiations on Confidence- and Security-Building Measures, Ukraine annually exchanges up-to-date information with the 55 Member States of OSCE.

Moreover, Ukraine is an active party to international instruments on additional confidence- and security-building measures in the Black Sea region, namely:

The agreement on the creation of a Black Sea naval cooperation task group "Blackseafor" of 2 April 2001;

The document on additional confidence- and security-building measures in the Black Sea naval sphere of 25 April 2002.

Reaffirming the continuity of its foreign policy, Ukraine sees its active involvement in international and regional organizations as a significant contribution to ensuring security in Eastern Europe and the world as a whole.